

**Testimony by Mary Pete, Director, Division of Subsistence,
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Chairman Inouye, Members of the Committee, thank you for this opportunity to address you on this topic that has consumed almost all of my professional work. My name is Mary Pete; I am the Director of the Division of Subsistence for the State of Alaska Department of Fish and Game. I started out as a subsistence researcher in western Alaska in 1984. I am honored to be here to represent the State of Alaska.

For many Alaskans, subsistence is a core value. It is the lifeblood of our cultural, spiritual, economic and physical well being. It puts food on the table and builds strong families.

State and federal laws provide a priority for subsistence uses in Alaska. The crux of the dilemma is the difference in who qualifies for the preference in state and federal law, as identified in an Alaska Supreme Court decision in 1989. All Alaskans potentially qualify for the preference under state law and rural residents qualify under federal law. Federal public lands encompass approximately 60 percent of Alaska so the rural priority applies in most of the state. The state priority applies in the remaining 40 percent of Alaska. As you can imagine, this dichotomy and dual management objectives creates management complexity and confusion for the public.

The majority of Alaskans understands the concept of subsistence, recognize its importance and clearly support it. Just two weeks ago, Alaska Gov. Tony Knowles announced another special session of the Alaska Legislature to address subsistence. This session will begin following completion of the current regular legislative session in mid May.

The sixth such session in 13 years, the governor is building on more momentum than

we've seen on this issue in recent years. Earlier this month, Anchorage voters in a landslide – more than 72 percent – said they wanted the opportunity to vote on subsistence. Just last week, the Catholic Church of Alaska issued a rare pastoral letter supporting a subsistence resolution.

Last summer, the governor convened a Subsistence Summit of business, civic, religious, Native, and fishing and hunting leaders, which then produced an innovative draft constitutional amendment. That amendment is currently pending in the Alaska Legislature.

Every poll indicates that if allowed to vote on the issue, Alaskans will overwhelmingly choose to protect subsistence.

For more than a decade, Alaskans have paid a high price for not allowing all Alaskans to be heard. We're not protecting subsistence as we should and management of much of our fish and game has been surrendered to the federal government.

And the urban-rural divide continues to grow. There are other issues that make the urban-rural split even wider, but nothing approaches the frustration over the inability to permanently protect subsistence.

The state has had a subsistence priority law that gives preference to rural residents for wild fish and game since 1978. Since then, the state has employed a division of researchers to document and understand the role of subsistence hunting, fishing, and gathering in the lives and communities of Alaskans and to assist the state's management boards in implementing the subsistence priority law. One of the attachments (Subsistence in Alaska: A Year 2000 Update) to this presentation summarizes what we have learned after over twenty years of research on subsistence harvests and uses in Alaska.

As expected, we have learned that subsistence is vital to the cultures and economies of rural Alaskans. Subsistence use areas in the state, as defined by the Joint Boards of Fisheries and Game, include 20 percent of the state's population. Although economies in small, rural communities are mixed, or need both production of local wild resources and cash to exist, subsistence is the foundation of their sustainability. Jobs are few and often seasonal, with cost of living the highest in the nation. Access to key wild resources, such as salmon, caribou, herring, and marine mammals, is the reason that Alaska Native communities are located where they are.

Family-based subsistence production and consumption groups help to maintain the community cohesion and sense of identity in these primarily Alaska Native communities. Subsistence harvest averages 375 pounds of wild fish and game per capita in rural Alaska compared with 23 pounds per capita in urban Alaska. Subsistence harvests in rural communities provide nearly 44 millions pounds of food per year at an estimated strict weight replacement value of nearly \$220 million. This does not include the immeasurable value of the sense of well being and accomplishment of providing for one's family.

Subsistence happens in the context of families, without public funds, who educate they're youth in the intricacies of the harvest and processing of wild foods and clothing and other crafts made from its proceeds.

The composition of subsistence harvests attests to the importance of fish in Alaska: Fish make up 60 percent of the wild food harvests statewide, and regional averages of up to 82 percent in some coastal areas. Among the Yupiit of western Alaska, the word for food as a general category is also the word for fish. So if you ask someone in Yup'ik if they have eaten, you will be asking them if they have eaten fish.

I would like to return to the challenges I mentioned earlier associated with dual state-federal management of subsistence uses. We have had experience with dual management of

game since 1990. Federal management of fisheries did not actively commence until October 1999, but we expect that some of the same problems that we witnessed with game management will occur with fisheries management.

Dual state-federal management of fish stocks compounds an already challenging endeavor, especially with declining returns of important species such as salmon. Economic disasters for salmon have been declared for four out of five recent years in western Alaska. The state has implemented the subsistence priority by restricting or closing non-subsistence and scheduling fishing times to allow subsistence users, scattered throughout the affected drainages, an opportunity to get what they can.

The narrow scope of federal authority has disrupted relationships among different uses. The Alaska Boards of Fisheries and Game provide for subsistence uses first then provide for other uses, namely sport, commercial and personal use, based on the availability of the resource. In some cases, subsistence uses are inextricably linked with commercial uses, such as the small-scale commercial fisheries along the Yukon and Kuskokwim rivers, and the boards know that change in subsistence regulations can have effects on the commercial fisheries and vice versa. Cash generated from commercial uses is used to support subsistence activities, especially when the people and equipment are the same, as in the case of these small-scale commercial salmon and herring fisheries.

The Federal Subsistence Board (FSB), in its deliberation, does not consider uses other than subsistence. This approach creates a problem, inasmuch as actions of the FSB may unintentionally disrupt the relationship between subsistence and other uses. This can detrimentally affect subsistence, as well as other uses.

State and federal allocation procedures are not compatible. State law requires that its management boards identify those fish stocks and game populations subject to customary and traditional uses and to identify a specific allocation needed for subsistence use, and to provide an opportunity for that use. These procedural steps enable the boards to provide a priority for

subsistence uses, and if the harvestable surplus allows, to provide for other uses. The FSB is under no obligation to explicitly identify the stocks or populations of concern and the subsistence need, or other uses, prior to making a subsistence allocation. To provide a subsistence priority and also accommodate as many other uses as possible, requires knowledge of the available resource and the full range of competing resources. These differences in procedures and mandates have resulted in lost hunting and fishing opportunity and under certain conditions, can lead to overharvest of the resource.

Other more specific problems or differences between state and federal management include in-season or real time management and their approaches to customary trade. Alaska's fishery management programs have been successful in part because of the ability of on-site managers to effect in-season closures or openings as required to assure conservation and allocation objectives are met. These decisions must be made decisively on available information and are necessarily made on short notice. Imposing the FSB has been problematic. In 2001, there were unnecessary closures for subsistence salmon fishing to state qualified subsistence users in the Yukon and Kuskokwim river drainages.

Both state and federal subsistence laws recognize customary trade as a legitimate subsistence use. The state boards receive proposals for regulations that define and allow for particular customary trade practices. In effect, trade is closed until opened by the board. In contrast, the FSB takes the approach that trade is allowed, yet unregulated, unless FSB acts to restrict the activity. The FSB approach is a problem, given the controversial nature of this activity, the potential for this practice to affect other uses, including other subsistence uses, and the risk of abuse with subsistence caught fish being introduced into commercial markets. The federal program has filed proposed regulations on customary trade of salmon, and unless it follows overwhelming public recommendation to defer action until thorough review and evaluation of its potential impacts is understood, stands to act on these proposals this summer.

I do not want to leave the committee with the impression that the state has been a whiny, passive party to dual management. We have initialed a Memorandum of Agreement

with the Federal Office of Subsistence Management that outlines an effective, coordinated dual management program. The state's goals are to protect the resource, provide for the subsistence priority, and for opportunities for other uses. We have been working on specific protocols under the MOA to implement specific objectives, such as each government's roles in sharing of information, in-season management, and determinations on amounts necessary for subsistence uses, to name a few.

In these efforts, we have involved users, particularly Alaska Native tribes and organizations. Another attachment to this testimony is a paper on Collaborative Management by the Alaska Department of Fish and Game. It includes projects and initiatives we have been or continue to be engaged in with various public groups. Effective management of public resources is a partnership of many parties, not the least being those most dependent on those resources.

I would like to dispel the sense that the state has been wholly recalcitrant on the subsistence impasse. There have been five special legislative sessions called since 1990 to address this issue. As I noted earlier, Governor Knowles has called three sessions himself and has just issued another call to begin May 15. Resolutions for constitutional amendments and legislation to change subsistence management have also been introduced. The block in efforts to address the impasse has been a small minority of state senators in the Alaska Legislature.

Mr. Chairman, we welcome the participation of any member of this committee in urging an Alaska resolution of the subsistence dilemma.

Comprehension of subsistence as a way of life, lifestyle, or livelihood requires recognition of its cultural, economic, and nutritional significance to Alaskans, particularly Alaska's Native peoples. The state will continue in its effort to resolve the subsistence dilemma because we believe unitary state management is best for the resource and its users.

This concludes my formal testimony. Thank you for your time.